Single Bench

(3)

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 313 /2005

PETITIONER :**Sumedi Sildar**
S/o Vibhwar Sildar
Aged about 54 years
R/o- Village/P.O- Devkuha
Tehsil- Khairagarh
Dist- Rajnandgoan (C.G)

Versus

RESPONDENTS

1. **State of Chhattisgarh**
Through the Secretary,
Public Works Department,
D.K.S. Bhawan, Raipur (C.G)

2. Finance Secretary,
State of Chhattisgarh
D.K.S. Bhawan Raipur (C.G)

3. Sub-Divisional Officer
Sub-Division Office C.G PWD, PWD Office, Dongararh, Dist- Rajnandgoan (C.G)

P.R. No. 355/05
Presented by Shri Hari Prasad
dated 28-01-05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT ORDER OF DIRECTION TO DO JUSTICE IN THE MATTER.

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XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 313/05 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

01/02/2005

Shri G.S.Ahluwalia, counsel for the petitioner.
Shri Akhil Agrawal, P.L. for the State.

Heard on I.A. No.647/2005 for urgent hearing. It is allowed.

The instant petition has been filed by the petitioner against the order of Annexure P-1 dated 04/12/2004 by which the petitioner has been communicated that he shall be superannuated after completing 30 years of service with effect from 31/01/2005.

Learned counsel for the petitioner submits that the petitioner is retired after completing 30 years of service at the age of 54 years. Learned counsel for the petitioner submits that ends of justice shall be served if the petitioner is at liberty to make detailed representation against his retirement to the respondents, as in the cases of similarly situated gang men, this Court has directed the respondents not to retire after completing 30 years of service.

Shri Akhil Agrawal, P.L. for the State has no objection if the petition is disposed of with a direction to the respondents to consider the representation of the petitioner against his retirement.

I have heard learned counsel for the parties and I am of the opinion that ends of justice shall be served if the petitioner is permitted to submit a detailed representation within ten days from today against the order of superannuation which shall be decided by the respondents within a further period of four weeks after the receipt of the representation and the petitioner is at liberty to file appropriate petition if the cause of action survives.

With this direction, the petition is disposed of.

Consequently, M.W.P No. 274/2005 & I.A. No. 647/2005 stand disposed of.

Sd/-
Dhirendra Mishra
Judge